

Marilyn R. Monson
11041 North 5370 West
Highland, Utah 84003
Pro Se Debtor

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FILED
U.S. BANKRUPTCY COURT
DISTRICT OF UTAH
SALT LAKE CITY
OCT 16 2019

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH**

In re:	Case No. 19-24954
MARILYN R. MONSON	Chapter 13
Debtor	Judge: R. KIMBALL MOSIER

DEBTOR'S EMERGENCY MOTION TO REINSTATE AUTOMATIC STAY

Pro Se Debtor Marilyn R. Monson moves the Court for an Emergency Order to Reinstate the Automatic Stay as to all creditors pursuant to 11 U.S.C. 362 in her Chapter 13 bankruptcy case.

In support of Debtor's emergency motion, Debtor states as follows:

1. Debtor filed her Chapter 13 bankruptcy petition on July 8, 2019.
2. The Chapter 13 filing fee has been paid.
3. All Chapter 13 bankruptcy schedules, the statement of financial affairs, the Chapter 13 plan and other miscellaneous bankruptcy documents have been filed.
4. Debtor complied with the 11 U.S.C. 521(i) filing deadline.
5. The 341 meeting of the creditors was rescheduled until October 25, 2019.

6. The Chapter 13 Trustee endorsed Debtor's motion to reschedule the 341 meeting of the creditors.
7. The Chapter 13 confirmation hearing was rescheduled until November 19, 2019.
8. No bankruptcy court filing fee is necessary for a motion to reinstate the automatic stay.
9. Ditech Financial LLC ("Ditech") was released from the automatic stay on September 4, 2019 with in rem relief.
10. Debtor is current on her Chapter 13 Plan payments. To date, Debtor has made \$8,680.00 in Chapter 13 plan payments.
11. Debtor wired \$6,000.00 for post-petition mortgage payments to Ditech on October 15, 2019 (See Exhibit "A"), which brings her current on her post-petition regular mortgage payments.
12. Debtor has NOT engaged in any scheme to delay, hinder, or defraud Ditech.
13. Debtor's payments of **\$14,680.00** (bold emphasis added) in both plan payments and post-petition regular mortgage payments demonstrate substantial good faith.
14. Ditech is simply incorrect in making its allegations that Debtor schemed to hinder, delay, or defraud Ditech. Debtor's payments of \$14,860 in the last 30 days are good faith evidence to refute all of Ditech's allegations.
15. Debtor asserts such substantial monetary good faith should overcome any and all allegations of a scheme made by Ditech.
16. Debtor's real property located at 11041 North 5370 West, Highland, UT 84003 (the "Property") is set for foreclosure sale on October 21, 2019 even though Debtor has

made \$8,680.00 in Chapter 13 Plan payments and \$6,000 in post-petition mortgage payments to Ditech.

17. The automatic stay needs to be reinstated to protect the Property from foreclosure.

WHEREFORE, Pro Se Debtor Marilyn Monson moves the Court for the following relief:

1. That the automatic stay pursuant to 11 U.S.C., Section 362, be reinstated as to all creditors.
2. That the reinstatement of the automatic stay be immediately enforced.

Dated this 15th day of October, 2019.

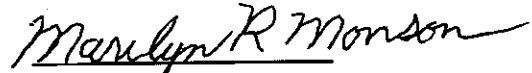

Marilyn R. Monson
Pro Se Debtor

EXHIBIT “A”

Domestic Wire Details

Status

Status: **Completed**
 Transaction Number: 23958906
 IMAD: 20191015QMGFT011001134
 Transaction Type: Domestic Wire Out
 RTN: 324377765 - Alpine CU
 Primary Phone Number: (801) 225-0256
 CAN Number: 24516
 Effective Date: 10/15/2019
 Late Order: No

Amount / Wire Detail

Wire Amount: \$6,000.00
 Type Code: CTR - 1000 - Consumer Transfer
 Dodd-Frank: No
 Receiving Institution: 021000089 - CITIBANK NYC; NEW YORK, NY
 Originator: MARILYN MONSON; 32070 1; 11041 N 5730 W, HIGHLAND, UT 84003
 Purpose:
 Beneficiary: DITECH FINANCIAL LLC; 31115214; 5505 N CUMBERLAND AVE STE #307, CHICAGO, IL 60656
 Instructions: GARY MONSON ACCT #0037626280

Transaction History

Activity Type	Date/Time	Person	Organization	Successful
Created	10/15/2019 11:37:54 AM	Jennie Taylor	Alpine CU	✓
Member OFAC Tested	10/15/2019 11:37:54 AM	Jennie Taylor	Alpine CU	✓
Approved	10/15/2019 11:41:54 AM	Jason Strong	Alpine CU	✓
Corporate Review	10/15/2019 11:45:44 AM	Amy Scroggins	Alloya Corporate FCU	✓
Corporate OFAC Tested	10/15/2019 11:45:44 AM	Amy Scroggins	Alloya Corporate FCU	✓
Posted	10/15/2019 11:45:44 AM	Amy Scroggins	Alloya Corporate FCU	✓
Exported	10/15/2019 11:58:32 AM			✓
Edited	10/15/2019 12:00:52 PM			✓
Completed	10/15/2019 12:00:52 PM			✓

Comment History

Comment Type	Date/Time	Person	Comment
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